

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

TEMEHERTE SHIFERAW BEYENE,

Defendant.

Case No. CR05-218L

ORDER CONTINUING TRIAL DATE

On July 11, 2005, this Court found that the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.* (the “STA”) had been violated with respect to Count 1 of the indictment against defendant. See Dkt. # 25. At a hearing on July 26, 2005, this Court issued findings of fact and ruled that Count 1 was to be dismissed without prejudice. The oral ruling was memorialized in a written Order Dismissing Count 1 of Indictment Without Prejudice (Dkt. # 27).

At the July 26 hearing, the government indicated that it intended to re-submit Count 1 to the grand jury and would also submit additional counts to the grand jury that had not previously appeared in the indictment. In light of this information, defense counsel requested that the trial, presently scheduled for August 15, 2005, be continued to September 28, 2005. Defense counsel indicated that the continuance was necessary to adequately prepare for trial, particularly in light of the anticipated new charges. Defendant had an opportunity to confer with counsel and acknowledged the circumstances necessitating a continuance. The government did not object to

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1 the continuance.

2 Based on the parties representations and the records and files herein, the Court finds that  
3 (1) the ends of justice outweigh the best interests of the public and the defendant in a speedy  
4 trial, and (2) failure to grant the continuance would deny defense counsel adequate time to  
5 effectively prepare for trial.

6 For all the foregoing reasons, IT IS HEREBY ORDERED that the trial date is continued  
7 from August 15, 2005 to September 28, 2005.

8 IT IS FURTHER ORDERED that pursuant to Title 18, United States Code, Section  
9 3161(h), the period of time from the date of this order to the new trial date is excluded in the  
10 computation of time under the Speedy Trial Act.

11  
12 DATED this 29<sup>th</sup> day of July, 2005.

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15 Robert S. Lasnik  
16 United States District Judge  
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